

Appln No. 10/680,818
Amdt date October 30, 2007
Reply to Office action of September 4, 2007

REMARKS/ARGUMENTS

In a paper dated September 4, 2007 (copy enclosed), the Office of Patent Publication indicated that the Applicant is given 60 days from the mailing date thereof to correct certain informalities, namely, failure to submit a petition, petition fee, and color drawing paragraph pursuant to 37 C.F.R. § 1.84(a).

Applicants have reviewed the application and note that the section entitled "Brief Description of the Drawings," at page 6, lines 2-4, *already* contains a paragraph indicating that the application includes color photographs. However, there are slight discrepancies between the language of that paragraph and the language recited in 37 C.F.R. § 1.84. Accordingly, Applicants are amending the application as indicated above.

Applicants respectfully submit that no petition or petition fee are required under the rules, as this application is related to an application in which the petition and fee were previously submitted to the Office. In particular, this application is a division of Application No. 09/891,883, filed June 26, 2001 (now U.S. Patent No. 6,660,530), which is a continuation of Application No. 09/378,662, filed August 20, 1999 (now U.S. Patent No. 6,274,119). A set of color photographs and petition, with supporting petition fee, were submitted in connection with the application that became the '119 patent. For the convenience of the Patent Office, we now enclose a copy of the petition and the Order granting the petition in that earlier-filed related application.

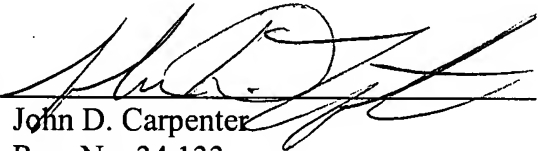
Accordingly, Applicants respectfully submit that the only thing arguably due at this time is an amendment to the specification to conform the "color drawing paragraph" to the language of 37 C.F.R. § 1.84. **If the Office disagrees, Applicants respectfully ask the Office to treat the present document as a petition for permission to include color photographs, for the reasons set forth in the petition filed in the aforementioned ancestor application.**

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The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.16 and 1.17 which may be required by or to give effect to this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
John D. Carpenter
Reg. No. 34,133
626/795-9900

JDC/rjf

Enclosures: Notice to File Corrected Application Papers
Petition and Order

JDC PAS762644.1-*-10/30/07 9:58 AM

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FEB 01 2001

Christie, Parker & Hale, LLP



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

① JDC ② KM

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09-378,662

08/17/99

BARRIO

34727/KM/PC

IMP2/0130

KATHLEEN M OLS-IP
CHRISTIE PARKER & HALE L L P
350 W COLORADO BLVD
PASADENA CA 91105

EXAMINER

HARTLEY, M

ART UNIT

PAPER NUMBER

1619

CASE # 34727 ACTION Petition Granted
REMINDER _____ DUE DATE _____
DEADLINE _____

DATE MAILED:

01/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ADDRESS:
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

CONTROL NO.	FILING DATE	PATENT UNDER REEXAMINATION	ATTY. DOCKET NO.
09/378,662	8/20/99		

EXAMINER	
Hartley	
ART UNIT	PAPER NUMBER
1619	12


DATE MAILED:

Please find below and/or attached an Office communication concerning the above identified reexamination proceeding.

Commissioner of Patents and Trademarks

This is a decision on the petition filed 8/2/1999 for acceptance of color photographs under 37 CFR 1.84.

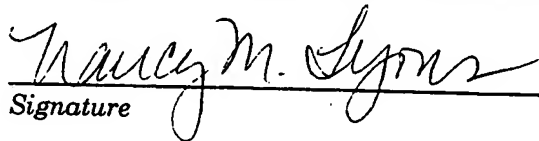
The petition is GRANTED.


Michael G. Hartley
Primary Examiner
Art Unit 1619

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service Service "Express Mail Post Office to Addressee" under 37 CFR §1.10 Mailing Label No. EL078837454US in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on August 20, 1999.


Signature

Applicant : Jorge R. Barrio, et al.
Application No. : Not Yet Assigned
Filed : August 20, 1999
Title : METHODS OF LABELING β -AMYLOID PLAQUES
AND NEUROFIBRILLARY TANGLES
Grp./Div. : Not Yet Assigned
Examiner : Not Yet Assigned
Docket No. : 34727/KMO/R268

PETITION FOR ACCEPTANCE OF COLOR PHOTOGRAPHS
UNDER 37 CFR § 1.84(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Post Office Box 7068
Pasadena, CA 91109-7068
August 20, 1999

Commissioner:

Color photographs have been submitted in this application as FIGS. 1 to 5. The subject matter could not be adequately represented by drawings, and in fact drawings could misrepresent the particular representations. Therefore, Applicants respectfully request that the photographs be accepted in this application.

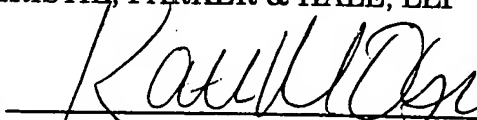
Enclosed are three (3) sets of color photographs and the petition fee of \$130.00 as set forth in 37 CFR § 1.17(h).

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Kathleen M. Olster
Reg. No. 42,052
626/795-9900

KMO/nml

Enclosures: Color photographs (3 sets), Check, Copy of this letter
NML PAS201234.1*-8/20/99 1:52 pm



UNITED STATES PATENT AND TRADEMARK OFFICE

SCAN

September, 04, 2007

50319

Jde

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,818	10/07/2003	Jorge R. Barrio	50319/KMO/R268	5364

23363 7590 09/04/2007
CHRISTIE, PARKER & HALE, LLP
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SEP 07 2007

EXAMINER

SAMALA, JAGADISHWAR RAO

ART UNIT PAPER NUMBER

1618

MAIL DATE DELIVERY MODE

09/04/2007

PAPER

CASE # **R268:**
50319 ACTION *Corrected Papers (60 days)*

REMINDER _____ DUE DATE _____

DEADLINE 11/3/07

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Serial No: 10/680,818
Applicant: Barrio
Filing Date: 10/07/2003
Date Mailed: 09/04/2007

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 60 days from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

Nadine Clark

Office of Patent Publication
Phone: 703-308-9250, ext.144

Application No. 10/680,918

Drawings filed 1/7/03

IDENTIFICATION OF DRAWING DEFICIENCIES

- ☐ There are holes punched in the illustration. FIG(s) _____
- ☐ The character of the lines, numbers and letters are poor/ faded. FIG(s) _____
- ☐ The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) _____
- ☐ A date stamp obscures part of the illustration. FIG(s) _____
- ☐ The drawing is solid black box or marred by black smudges, obliterations, or fax/copier marks. FIG(s) _____
- ☐ Figure number is duplicated/missing. Drawing sheet is missing. FIG(s). _____
- ☐ Numbers, letters, or reference characters in the drawing have been crossed out by hand and are illegibly handwritten. FIG(s) _____
- ☐ The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) _____
- ☐ The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) _____
- ☐ Missing data, part of the drawing is cut off, lead line no reference number FIG(s) _____
- ☐ The drawing is continued onto a second page (or more) without proper labeling under 37.CFR 1.81(u)(1). FIG(s) _____
- ☐ The drawing and/or the FIG. label contain(s) foreign language. FIG(s) _____
- ☒ Color drawings are present in this application but the following CFR 1.84 (a) requirements have not been met*:
 - ☒ Petition filed
 - ☒ Petition fee
 - ☐ 3 sets of color drawings
 - ☒ Color drawing paragraph

*If color drawings are not elected, then applicant **must respond** so stating. Also, references to color drawings in the specification, if any, must be amended.

COMMENTS: